

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YOUNAS HAJI,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,
THE CITY OF NEW YORK, DRUG
ENFORCEMENT AGENCY SPECIAL
AGENTS ROBERT BARRETT, KATE
BARNARD, PAUL BUCHANAN, AND
UNKNOWN EMPLOYEES OF THE
UNITED STATES, NEW YORK STATE,
AND NEW YORK CITY,

Defendants.

ECF Case

No. 08 Civ. 2230 (TPG)(JCF)

**DECLARATION OF DRUG
ENFORCEMENT
ADMINISTRATION
SPECIAL AGENT
KATHERINE BARNARD**

Katherine Barnard, pursuant to 28 U.S.C. § 1746, declares the following

under penalty of perjury:

1. I am a Special Agent with the United States Drug Enforcement Administration (“DEA”), in Portland, Maine, where I have been employed for approximately eight years.
2. On or about July 24, 2006, a member of the New York Organized Crime Drug Enforcement Strike Force (“Strike Force”), a group within the DEA, contacted me and requested that I execute an arrest warrant for Mr. Younas Haji.
3. I subsequently received the arrest warrant by mail, along with a photograph of Mr. Haji. A true and correct copy of the arrest warrant is attached hereto as Exhibit A.
4. On Wednesday, July 26, 2006, I, along with my colleague, Special Agent Paul Buchanan, executed the warrant and arrested Mr. Haji.

5. On Thursday, July 27, 2006, I attended an identity hearing in Portland, Maine, to determine whether Younas Haji was the same individual named in the arrest warrant. Magistrate Judge David Cohen, United States District Court for the District of Maine, in Portland, Maine, found that Mr. Haji was the same individual named in the arrest warrant.
6. On Tuesday, August 1, 2006, I attended a detention hearing in Portland, Maine, where Mr. Haji appeared. Mr. Haji was released on an unsecured bond with conditions, and he was directed to appear in the Southern District of New York.
7. After the detention hearing on August 1, 2006, I had no further contact with Mr. Haji.
8. At no time during the course of my arrest of Mr. Haji, did I have reason to believe that the DEA had identified the wrong person. To the contrary, I was issued a valid arrest warrant, and member of the Strike Force requested that I execute the warrant. I had no reason to believe that there were any deficiencies with the arrest warrant, or that the warrant lacked probable cause.
9. I acted reasonably and believed in good faith that my actions were lawful during the events leading up to Mr. Haji's arrest.

Dated: July 31, 2008
Portland, Maine



KATHERINE BARNARD

EXHIBIT A

CR 12 (Rev. 5/03)

WARRANT FOR ARREST

United States District Court		DISTRICT SOUTHERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA v. YOUNAS HAJI		DOCKET NO. 0 6 Cr 0600 MAGISTRATE'S CASE NO.
WARRANT ISSUED ON THE BASIS OF: <input checked="" type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint		NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED YOUNAS HAJI
TO: UNITED STATES MARSHAL OR ANY OTHER AUTHORIZED OFFICER		DISTRICT OF ARREST
CITY		
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.		
DESCRIPTION OF CHARGES Conspiracy to distribute khat; conspiracy to import khat		
IN VIOLATION OF		UNITED STATES CODE TITLE 21 SECTION 846; 963
BAIL		OTHER CONDITIONS OF RELEASE
ORDERED BY THEODORE H. KATZ		SIGNATURE (FEDERAL JUDGE/U.S. MAGISTRATE) S/ Theodore H. Katz DATE ORDERED JUL 1 2006
CLERK OF COURT		(BY) DEPUTY CLERK DATE ISSUED
RETURN		
This warrant was received and executed with the arrest of the above-named person.		
DATE RECEIVED 7-24-06	NAME AND TITLE OF ARRESTING OFFICER SA Kate Barnard	SIGNATURE OF ARRESTING OFFICER Kate Barnard
DATE EXECUTED 7-26-06		

Note: The arresting officer is directed to serve the attached copy of the charge on the defendant at the time this warrant is executed.